

TOWN BOARD

The Town Board, Town of Highlands, held a meeting on Monday, March 10, 2014 at Town Hall, 254 Main St, Highland Falls, NY at 7:00pm.

PRESENT:	Mervin R. Livsey	----	Supervisor
	William Edsall	----	Council Member
	James Stradley	----	Council Member
	June Gunza	----	Council Member
	Adrienne T. Voltaire	----	Council Member
	Justin Rider	----	Counsel
	Kelly Blauvelt	----	Comptroller
	June Patterson	----	Town Clerk

Supervisor Livsey opened the meeting at 7:00pm.

PUBLIC COMMENT

None

MINUTES

Council Member Edsall made a motion seconded by Council Member Stradley to adopt the minutes from the February 24, 2014 Town Board meeting.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

COMMUNICATIONS

Supervisor Livsey received a card from Stella Bailey thanking the Board for the kind words spoken about her husband at the last meeting.

Supervisor Livsey has a copy of a letter sent to Mr. Armstead from the Old Guard Hotel stating they are going to Orange County IDA to look for tax abatements. The Supervisor said the Town Board is being asked to support this. The Supervisor said this is a big project and the Town needs to know how the IDA works. Supervisor Livsey asked Mr. Rider to get some information for the next meeting.

Council Member Edsall asked what kind of support they were asking for.

Mr. Rider said they like to have input from the local municipality.

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Council Member Edsall said he is concerned with the impact and stated that he doesn't want to see another Corbin Hill situation.

Supervisor Livsey received a letter from the West Point Auto Spa asking for a possible reduction of speed on 9W in that area. The Supervisor said he will forward this request to the NYS DOT.

Council Member Edsall said he already sent this to them.

Supervisor Livsey received notification from the Orange County Office for the Aging informing the Town of the poverty guidelines as of April 1.

FINANCIAL

Supervisor Livsey said the Water District #2 payments totaled \$52.53; the Trust & Agency payments were \$194.25; and the General payments totaled \$251,069.92.

BUDGET TRANSFERS

Council Member Gunza made motion seconded by Council Member Edsall to transfer \$230.58 from Contingent to Town Clerk's equipment.

MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays

Council Member Edsall made a motion seconded by Council Member Stradley to transfer \$500 from Tech Support supplies and \$15.65 from Tech Support contractual equipment to IT Contractual.

MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays

Council Member Edsall made a motion seconded by Council Member Stradley to transfer \$522 from Ambulance Vehicle Maintenance to Mobile Life for ALS Intercept.

MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays

Council Member Edsall made a motion seconded by Council Member Gunza to transfer \$533.29 from Supervisor Other expenses to Council Members Contractual expense.

MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays

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Council Member Edsall made a motion seconded by Council Member Stradley to transfer \$57.60 from Sanitation supplies to Sanitation Vehicle maintenance.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

BOARD REPORTS

Council Member Voltaire:

Council Member reported that the website is coming along nicely and should be ready to go live soon.

Council Member Gunza:

Council Member Gunza reported that the Ambulance Corps has been busy and is doing a great job.

Council Member Gunza also reported that the Police Department is doing a great job and interviews should be taking place soon for a new Dog Control Officer.

Council Member Stradley:

Council Member Stradley said he planned on meeting with Ms. Solan last Friday, but she was sick

Council Member Stradley said he will be meeting with Jim Willis to talk about Recreation.

Council Member Stradley stated that the snow on the top of Mountain Ave is melting slowly and doesn't seem to be causing a problem.

Supervisor Livsey asked Council Member Stradley to talk to Mr. Willis about older kids going to the Summer Recreation program.

Council Member Edsall:

Council Member Edsall said Vision has applied for a grant to pay for lighting for the flag at Patriot Park.

Council Member Edsall said Supervisor Livsey told him Doug Willis would be bringing in someone who may be interested in his job.

Council Member Edsall reported that the Friends of Mine Dock Park Committee had their election of Officers.

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Council Member Edsall said he was informed by Mr. Patterson that Verizon has said they will be removing the double poles by the end of the month.

Council Member Edsall stated that the Building Department has been busy and sign violations have been sent out, but no tickets have been issued.

SUPERVISOR'S REPORT

CDBG Grant:

Supervisor Livsey has a Municipal Grant Eligibility Form for a CDBG Grant for a generator at the Sewer Plant. The Supervisor said the cost for the generator is approximately \$100,000 and there is no guarantee FEMA will pay for it. The Supervisor said if FEMA does pay some of it, the grant money will pick up the rest. Supervisor Livsey said there is a Grant Writer involved at a cost of no more than \$500.

County Legislature DiSalvo asked the Board to let him know when the application is sent.

Council Member Voltaire made a motion seconded by Council Member Stradley authorizing Supervisor Livsey to sign the preliminary paperwork for the CDBG Grant.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

NYSEFC – Sewer Plant Upgrades

Supervisor Livsey said the engineer has prepared a resolution that states the Town is considering making application to the New York State Environmental Facilities Corp for upgrades to the Sewer Plant. The Supervisor said nothing is being done tonight so Mr. Rider can take a close look at everything.

Mr. Rider said he needs to make sure everything is in order.

Supervisor Livsey said the cost for the engineering for this will not exceed \$1,000.

Supervisor Livsey said the Sewer Plant is 30 years old and needs a major upgrade.

Council Member Edsall said his personal goal is for the residents to see a difference when the bond expires.

Communications:

Supervisor Livsey said he met with Detective Bailey, who is the Communications Officer, to discuss the radio problems the Ambulance Corps is having. The Supervisor said some solutions have been offered, but he is not sure they are good solutions.

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Mayor Flynn:

Supervisor Livsey met with Mayor Flynn and discussed many things. The Supervisor asked the Mayor to put any requests in writing.

Supervisor Livsey said Mayor Flynn asked the Town to pay \$1,500 for the Historian and the Village would take care of the rest. The Supervisor said the Board would discuss this.

Radio Problems:

Supervisor Livsey met with Capt. Stroppel to discuss the problems he is having with his radios. The Supervisor agreed to put this issue on hold until Capt. Stroppel returns from his vacation.

Parking:

Supervisor Livsey spoke to Mr. Patterson about parking at the Highway Garage and he had no problem with it.

Sewer Plant:

Supervisor Livsey spoke to Doug Willis who informed him that he has someone in mind to replace him when he retires. The Supervisor said this gentleman would like to come in to take a look at things. The Supervisor also said Dan Peterson, another operator at the Sewer Plant, might be willing to stay on a little longer than planned.

ATTORNEY'S COMMENTS

Mr. Rider said he spoke to Capt. Stroppel and clarified the issues with the radios.

GENERAL BUSINESS

Space Use Agreement 2014:

Supervisor Livsey has the 2014 Space Use Agreement for the Senior Dining Site and he would like the Board to authorize him to sign it.

Council Member Edsall made a motion seconded by Council Member Gunza to authorize Supervisor Livsey to sign the 2014 Space Use Agreement.

**MOTION CARRIED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

River View Run Races:

Supervisor Livsey said the Town is being asked permission for the River View Run for Parkinson's Research again this year on October 5.

The Board had no objections to this.

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Supervisor Livsey asked the Town Clerk to send a letter stating the Board has no objections to these runs.

Council Member Gunza said she would like them to follow the same procedures as last year.

Rules & Regulations for Parks:

Supervisor Livsey said “No Parking” signs can be placed at Mine Dock Park, but it can’t be enforced because there are no rules and regulations. The Supervisor asked the Board to come up with some rules that they would like to see for the parks in the Town.

County Legislature DiSalvo suggested the Board contact the Village to see what they have.

Employee Handbook – Proposed Revision:

Supervisor Livsey has a resolution to delete the entire subparagraph entitled “Compensatory Time” from the Employee Handbook.

Council Member Voltaire agrees that, because that paragraph was not written properly, it should be removed. Ms. Voltaire said in the future the Board should re-visit this and possibly put in a Flex time policy.

Council Member Edsall made a motion seconded by Council Member Voltaire to adopt the resolution to amend the Employee Handbook as stated above.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Proposed Local Law #1 of 2014 (Zoning – Fitness Center):

Supervisor Livsey has a resolution to schedule a public hearing for proposed Local Law #1 of 2014 – Fitness Center.

Mr. Rider said this is being done at the recommendation from the Planning Board.

Council Member Gunza made a motion seconded by Council Member Voltaire to schedule a public hearing on proposed Local Law #1 of 2014 – Fitness Center, on March 24 at 7:00pm.

**RESOLUTION ADOPTED: 5-ayes (Livsey, Edsall, Stradley, Gunza, Voltaire)
0-nays**

******RESOLUTION ATTACHED******

Comptroller’s Report:

Ms. Blauvelt said the training on the Springbrook Software is going well.

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Ms. Blauvelt said the AUD report is moving along.

Ms. Blauvelt asked that a disposition form be filled out when a piece of equipment is disposed of so she can update her Fixed Assets list. Ms. Blauvelt informed the Supervisor that all the radios are on the Fixed Assets list.

Supervisor Livsey asked Ms. Blauvelt to show Capt. Stroppel the list when he returns.

Ms. Blauvelt said she contacted Marshall & Sterling about updating the Handbook and they are willing to do it at a cost of \$75 per hour. Ms. Blauvelt said the document is in a Word document that can be edited internally. Ms. Blauvelt stated that Marshall & Sterling said they will review the Handbook for compliance with the law and she would like them to do that.

Supervisor Livsey said that was a good idea.

PUBLIC COMMENT

Ann Scott asked if the Board would consider adding Garrison's park to that and possibly making it a catch and release pond.

Supervisor Livsey said the Board might also want to look at Patriot Park.

County Legislature DiSalvo asked Council Member Edsall how much the grant for the lights was for.

Council Member Edsall said it was for \$1,050.

County Legislature DiSalvo asked Council Member Edsall to drop off a letter to him because he might be able to help.

County Legislature DiSalvo spoke about the hotel project and said it is a good project for the community. Mr. DiSalvo also said he believes the EFC grant is a terrific idea and wished the Town good luck.

Supervisor Livsey reminded everyone that the Village election is on March 18 and encouraged all Village residents to come out and vote.

ADJOURN

Council Member Edsall made a motion seconded by Council Member Stradley to adjourn the meeting. Meeting adjourned at 7:50pm.

TOWN OF HIGHLANDS
RESOLUTION

The TOWN OF HIGHLANDS is hereby submitting its Municipal Grant Eligibility Form for consideration under the Orange County Community Development (CDBG-DR) Disaster Recovery Program and that the Supervisor or the Town Engineer is hereby authorized to submit this form.

They further certify that they have read and understood that Municipal Grant Eligibility Form, and have met all of its applicable requirements and that the information contained in this form is accurate and true to the best of their knowledge.

MERVIN R. LIVSEY, SUPERVISOR
ENGINEER

ALFRED A. FUSCO, JR., P.E, TOWN

DATE

DATE

RESOLUTION

OF

FEBRUARY 10, 2014

**RESOLUTION TO AUTHORIZE THE SIGNING OF THE
SPACE USE AGREEMENT FOR THE USE OF THE
HOLY INNOCENTS CHURCH FOR SENIOR DINING**

Council Member **Edsall** moved the following which was seconded by Council Member **Gunza**.

BE IT RESOLVED, that Supervisor Livsey is hereby authorized to sign the Space Use Agreement for the use of the Holy Innocents Church for the Senior Dining Program.

The question of the adoption of the foregoing resolution was duly put to a vote of the Board which resulted as follows:

Mervin R. Livsey, Supervisor	voting:	Aye
June Gunza, Council Member	voting:	Aye
Holly Gokey, Council Member	voting:	Aye
William Edsall, Council Member	voting:	Aye
James Stradley, Council Member	voting:	Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on March 10, 2014.

June Patterson, Town Clerk

RESOLUTION

OF

MARCH 10, 2014

A RESOLUTION OF THE
THE TOWN BOARD
AMENDING THE EMPLOYEE HANDBOOK
OF THE TOWN OF HIGHLANDS:
COMPENSATORY TIME

Council Member **Edsall** moved the following resolution which was seconded by Council Member **Voltaire**.

WHEREAS, an employee handbook is an effective tool for communicating employment policies and procedures, standards of conduct, pay practices and employee benefits; and

WHEREAS, an employee handbook is important in demonstrating the Town of Highlands' compliance with federal and state regulations; and

WHEREAS, it is a well established "best practice" that employees should be provided with the necessary information to fully understand the policies, procedures, rules and regulations pertaining to their employment; and

WHEREAS, the Town Board of the Town of Highlands adopted a comprehensive Employee Handbook on February 24, 2003 for the purpose of communicating the Town's personnel policies and practices to all employees and elected officials of the Town; and

WHEREAS, the Town Board has reviewed its provisions related to Overtime and Compensatory Time and would like to amend same;

WHEREAS, upon diligent review the Town Board has determined that it is in the best interests of the Town to amend the Overtime provisions of the Employee Handbook; and

WHEREAS, the adoption of said amendment is a local legislative decision in connection with continuing agency administration and management, and does not include new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act.

NOW, THEREFORE BE IT RESOLVED, Section 702 entitled “Overtime” of the TOWN OF HIGHLANDS “EMPLOYEE HANDBOOK” is hereby amended to delete the entire subparagraph entitled “Compensatory Time”, the purpose and effect of which is to prohibit the ability of an employee to receive compensatory time.

BE IT FURTHER RESOLVED that the aforesaid resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on March 10, 2014.

June Patterson, Town Clerk

RESOLUTION
OF
MARCH 10, 2014

A RESOLUTION TO INTRODUCE AND
SCHEDULE A PUBLIC HEARING TO RECEIVE
PUBLIC COMMENTS CONCERNING THE ENACTMENT OF
A LOCAL LAW AMENDING CHAPTER 210
ENTITLED "ZONING" TO ADD SECTION 210-10D(19)
TO THE CODE OF THE TOWN OF HIGHLANDS:
FITNESS CENTERS

Council Member **Gunza** moved the following resolution which was seconded by Council Member **Voltaire**.

BE IT RESOLVED, that INTRODUCTORY LOCAL LAW NO. 1 OF 2014 entitled "A Local Law Amending Chapter 210 entitled 'Zoning' to add Section 210-10D(19) to the Code of the Town of Highlands: Fitness Centers" be and hereby is introduced before the Town Board of the Town of Highlands in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that pursuant to Municipal Home Rule Law Section 20, a public hearing shall be held to receive comments concerning the enactment of said Local Law on March 24, 2014 at 7:00 p.m. at the Town Hall located at 254 Main Street, Highland Falls, New York, and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing specifying the time when and the place where such public hearing will be held by publication and posting in accordance with the Municipal Home Rule Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

James Stradley, Councilman	voting	Aye
June Gunza, Councilwoman	voting	Aye
Adrienne Voltaire, Councilwoman	voting	Aye
William Edsall, Councilman	voting	Aye
Mervin R. Livsey, Supervisor	voting	Aye

The foregoing constitutes a true and complete copy of a resolution duly made, seconded and adopted at a meeting of the Town Board, Town of Highlands, on March 10, 2014.

June Patterson, Town Clerk